

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Diana Hynek 04/14/2003
Departmental Paperwork Clearance Officer
Office of the Chief Information Officer
14th and Constitution Ave. NW.
Room 6625
Washington, DC 20230

In accordance with the Paperwork Reduction Act, OMB has taken the following action on your request for the extension of approval of an information collection received on 01/29/2003.

TITLE: Application Form for Membership on a National
Marine Sanctuary Advisory Council

AGENCY FORM NUMBER(S): None

ACTION : APPROVED WITHOUT CHANGE

OMB NO.: 0648-0397

EXPIRATION DATE: 04/30/2006

BURDEN:	RESPONSES	HOURS	COSTS(\$,000)
Previous	75	75	0
New	150	150	0
Difference	75	75	0
Program Change		75	0
Adjustment		0	0

TERMS OF CLEARANCE: None

OMB Authorizing Official Title

Donald R. Arbuckle Deputy Administrator, Office of
Information and Regulatory Affairs

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

1. Agency/Subagency originating request	2. OMB control number b. <input type="checkbox"/> None a. _____ - _____
3. Type of information collection (<i>check one</i>) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested (<i>check one</i>) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated 5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No 6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
7. Title	
8. Agency form number(s) (<i>if applicable</i>)	
9. Keywords	
10. Abstract	
11. Affected public (<i>Mark primary with "P" and all others that apply with "x"</i>) a. <input type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms b. <input type="checkbox"/> Business or other for-profit e. <input type="checkbox"/> Federal Government c. <input type="checkbox"/> Not-for-profit institutions f. <input type="checkbox"/> State, Local or Tribal Government	12. Obligation to respond (<i>check one</i>) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden (<i>in thousands of dollars</i>) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection (<i>Mark primary with "P" and all others that apply with "X"</i>) a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research c. <input type="checkbox"/> General purpose statistics g. <input type="checkbox"/> Regulatory or compliance d. <input type="checkbox"/> Audit	16. Frequency of recordkeeping or reporting (<i>check all that apply</i>) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission) Name: _____ Phone: _____

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator, Deputy Assistant Administrator, Line Office Chief Information Officer, head of MB staff for L.O.s, or of the Director of a Program or StaffOffice)	
Signature	Date
Signature of NOAA Clearance Officer	
Signature	Date

**SUPPORTING STATEMENT
APPLICATION FORM FOR MEMBERSHIP ON A
NATIONAL MARINE SANCTUARY COUNCIL
OMB CONTROL NO. 0648-0397**

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

Section 315 of the National Marine Sanctuaries Act (16 U.S.C. 1445a; attached) allows the Secretary of Commerce to establish one or more advisory councils to provide advice to the Secretary regarding the designation and management of national marine sanctuaries. Councils are individually chartered for each sanctuary to meet the needs of that specific site; eleven Councils exist as of 10/1/02. Once a Council has been chartered, the Sanctuary Manager starts a process to recruit members for that Council by providing notice to the public and asking interested parties to apply for the available seats. An application form has been developed to help ease the application process for the public and facilitate the review process for the Sanctuary Manager.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with applicable NOAA Information Quality Guidelines.

The availability of seats on a Council are announced by the appropriate sanctuary through various public channels, including a *Federal Register* notice, local press releases, announcements at local meetings, and posting on the sanctuary's web page. Interested persons can request the application kit (containing the application form, a copy of the Council's charter, and some information about the sanctuary itself) by phone, fax, or e-mail. The applicant then completes and returns the form to the sanctuary office, by mail, fax, or electronically. Usually several sanctuaries a year will have to fill some vacancies on existing Councils; one or two new Council may be created in the next several years.

The specific information requested by the application (attached) will be used in the following ways:

- Seat applying for (applicants are asked to check a box for the seat for which they are applying): This information is used to determine which seat on the Council the applicant is interested in holding.
- Name, addresses, and phone numbers: This is basic contact information that is necessary in order to notify the applicant about whether he or she will serve on the Council; if the applicant becomes a member of the Council, this information is used to keep them informed of meeting dates, upcoming events, etc.

- (1) Reasons for interest in serving on the Council: This information is used to help the Sanctuary Manager determine the nature of the applicant's views on marine conservation and management.
- (2-6): This information is used to determine the qualifications of the applicant for the seat for which he or she is applying, relative to those of other applicants for the same seat.
- Other qualifications or information: This information allows the applicant to provide additional information about his or her qualifications for the seat that might not be readily apparent elsewhere in the application.

The information will not be disseminated to the public, and NOAA's Information Quality Guidelines do not apply.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

The National Marine Sanctuary Program (NMSP) provides a broad opportunity for the public to apply for membership on Councils. Application kits are generally available by mail or electronically on the individual sanctuary's Web page, and can be submitted through the mail, by fax, or electronically.

4. Describe efforts to identify duplication.

Sanctuary Advisory Councils are bodies unique to the NMSP; no other collection of information meets the needs of the NMSP for the purpose of selecting members of Councils.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

The collection of this information does not have a significant impact on small entities.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

Councils serve an important function in the management of sanctuaries, by providing advice to the Sanctuary Manager (from a variety of different perspectives and interests) and helping link the sanctuary to the community. Congress understood this importance and deliberately provided the NMSP with its own authority to have Councils, making the Councils exempt from the Federal Advisory Committee Act. Being able to collect this information allows the NMSP to choose the best applicants to serve as members on the Council.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

The collection is consistent with OMB guidelines.

8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A Federal Register Notice (copy attached) solicited public comment. None was received.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

Applicants are not given payment or gifts. If selected to serve on a Council, members are eligible for invitational travel expenses (e.g., per diem) for costs associated with official meetings (per the National Marine Sanctuaries Act).

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

Applicants are protected under applicable privacy laws. If chosen to serve on a Council, members understand that their names and business contact information (or other contact information as the member prefers) is made available so that constituents from the segment of the community the member represents can contact him or her. Applicants are also informed on the application that other parts of the application may be subject to release under a request from the Freedom of Information Act, through a court order, or in response to a Congressional inquiry.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

No questions of a sensitive nature are asked.

12. Provide an estimate in hours of the burden of the collection of information.

The NMSP expects to have an average of 150 applicants per year, with an estimated time per applicant of one hour for obtaining, completing, and returning the application, for a total annual response time of 150 hours.

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection.

There are no capital or start-up costs. No special equipment will need to be obtained for this information collection. The NMSP expects applications to cost about \$2.00 per person for the cost of a phone call or e-mail request for the application and the cost of electronically returning or mailing the completed application, for a total annual cost to the public of \$300.00.

14. Provide estimates of annualized cost to the Federal government.

The estimated annual costs to the Federal government would include:

- copying = \$60.00 (1500 pages at \$.04 a page for copying applications, Council Charters, and other information for application packages)
- mailing = \$200.00 (mailing 200 applications at \$1.00 each)
- labor = \$8,000.00 (2 hours per application requested to cover responding to request for application, mailing, copying for review, conducting the review, and responding to applicant; estimate 2 hrs/application X 200 applications X \$20.00/hour)
- Total = \$8,260.00

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.

The number of respondents has been re-estimated and the burden adjusted.

16. For collections whose results will be published, outline the plans for tabulation and publication.

The only results of this collection that would be published is the name and contact information for each successful applicant. Such information would likely appear in the individual sanctuary's web page, newsletters, and other usual information outlets for that sanctuary. New Council members are usually announced about a month after the deadline for accepting applications has passed.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

No exemptions are being sought.

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-1.

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

**NATIONAL MARINE SANCTUARY ADVISORY COUNCIL
APPLICATION GUIDELINES**

Before applying for Advisory Council membership, please review the Advisory Council Charter provided in your application kit. The Charter outlines the purposes and governs the operation of the Council. In applying for Council membership, you are agreeing to abide by the terms of the Charter if you are selected as a member or alternate. Also please review the information provided at the end of this form; it contains important guidance with regard to the information you submit on this form and its availability under federal law.

Please indicate which seat(s) you are applying for, provide your contact information, and respond to the questions below. The National Marine Sanctuary Program (NMSP) may consider applicants for seats for which they have not applied if the NMSP believes they are qualified for that seat and are willing to serve in it. The application deadline is [date].

Date: _____

Seat applying for: _____ Agriculture _____ Business/Industry
_____ Conservation _____ Diving _____ Education _____ Fishing
_____ Other Recreational _____ Research _____ At-Large

Name: _____

Home Address: _____

Home Phone: _____

Fax: _____ **E-mail:** _____

Work Address: _____

Work Phone: _____

Fax: _____ **E-mail:** _____

Please address the following in an attached statement:

1. Reasons for interest in serving on the Council, including a statement of guiding philosophy regarding protection and management of marine or Great Lake resources
2. Community and professional affiliations
3. Length of residence in area affected by the Sanctuary
4. Particular expertise and experience germane to the goals and uses of the Sanctuary, particularly in relation to the seat for which you are applying
5. Description of your philosophy of what the role of the Council is, and how you will work to best support the Sanctuary while on the Council
6. Description of how much time you have to devote to Council activities and how you will coordinate, consult, and inform the members of the constituency you will be representing
7. Other qualifications or information relevant to membership on the Council

The information obtained through this application process will be used to determine the qualifications of the applicant for membership on the Sanctuary Advisory Council. The National Marine Sanctuary Program (NMSP) intends affirmatively to disclose the applications only to NMSP staff and other members of the review panel. However, the NMSP may be required to disclose the applications in response to a court order, a Congressional request, or a request from the public under the Freedom of Information Act (FOIA). If disclosure is requested under the FOIA, the NMSP will endeavor to protect the privacy of applicants by withholding personal information such as home addresses and telephone numbers. In contrast, statements of philosophy or opinions contained in the application would likely be released. Applying for membership on the Council is voluntary.

Public reporting burden for this collection of information is estimated to average one hour per response, including the time for reviewing instructions, searching existing data sources, gathering the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to National Marine

Sanctuary Program, 1305 East West Highway, N/ORM6, Silver Spring,
Maryland 29010.

Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

OMB Control #0648-0397
Expires 3/21/03



-CITE-

16 USC Sec. 1445a

01/02/01

-EXPCITE-

TITLE 16 - CONSERVATION

CHAPTER 32 - MARINE SANCTUARIES

-HEAD-

Sec. 1445a. Advisory Councils

-STATUTE-

(a) Establishment

The Secretary may establish one or more advisory councils (in this section referred to as an 'Advisory Council') to advise and make recommendations to the Secretary regarding the designation and management of national marine sanctuaries. The Advisory Councils shall be exempt from the Federal Advisory Committee Act.

(b) Membership

Members of the Advisory Councils may be appointed from among -

(1) persons employed by Federal or State agencies with expertise in management of natural resources;

(2) members of relevant Regional Fishery Management Councils established under section 1852 of this title; and

directory language of Pub. L. 102-587, Sec. 2112, which added this section.

Subsec. (e)(3). Pub. L. 104-283, Sec. 5, inserted before period at end '', except that in the case of a meeting of an Advisory Council established to provide assistance regarding any individual national marine sanctuary the notice is not required to be published in the Federal Register''.



[Search USC](#), [About Database](#), [Download USC](#), [Classification Tables](#), [Codification](#)

Notices

Federal Register

Vol. 67, No. 185

Tuesday, September 24, 2002

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting of the Mississippi Advisory Committee

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a factfinding meeting of the Mississippi Advisory Committee to the Commission will convene at 4 p.m. and recess at 9 p.m. on Wednesday, October 9, 2002, at the State Capitol, 400 High Street, Room 216, Jackson, Mississippi 39201. The Committee will reconvene at 9:15 a.m. and adjourn at 7:15 p.m. on Thursday, October 10, 2002, at the State Capitol, Room 113. The purpose of the two-day factfinding meeting is to discuss the need to establish a state civil rights agency that would enforce laws that are substantially equivalent to federal civil rights laws. On Friday, October 11, 2002, the Committee will convene at 12 p.m. and adjourn at 3 p.m. at the Hilton Hotel, 1001 East County Line Rd., Jackson, MS, to plan future activities.

Persons desiring additional information, or planning a presentation to the Committee, should contact Melvin L. Jenkins, Director of the Central Regional Office, 913-551-1400 (TDD 913-551-1414). Hearing-impaired persons who will attend the meeting and require the services of a sign language interpreter should contact the Regional Office at least ten (10) working days before the scheduled date of the meeting.

The meeting will be conducted pursuant to the provisions of the rules and regulations of the Commission.

Dated at Washington, DC, September 17, 2002.

Ivy L. Davis,

Chief, Regional Programs Coordination Unit.
[FR Doc. 02-24176 Filed 9-23-02; 8:45 am]

BILLING CODE 6335-01-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 091902B]

Proposed Information Collection; Comment Request; Application Form for Membership on a National Marine Sanctuary Advisory Council

AGENCY: National Oceanic and Atmospheric Administration (NOAA).

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506 (c)(2)(A)).

DATES: Written comments must be submitted on or before November 25, 2002.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue NW, Washington DC 20230 (or via Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Elizabeth Moore, N/ORM6, 1305 East-West Highway, Silver Spring, Maryland 20910 (telephone 301-713-3125, ext. 170).

SUPPLEMENTARY INFORMATION:

I. Abstract

Section 315 of the National Marine Sanctuaries Act (16 U.S.C. 1445a) allows the Secretary of Commerce to establish one or more advisory councils to provide advice to the Secretary regarding the designation and management of national marine sanctuaries. Councils are individually chartered for each sanctuary to meet the needs of that sanctuary. Once a council has been chartered, the Sanctuary Manager starts a process to recruit members for that Council by providing notice to the public and asking

interested parties to apply for the available seats.

II. Method of Collection

An application form and guidelines for a narrative submission must be submitted to the Sanctuary Manager. Submissions may be made electronically.

III. Data

OMB Number: 0648-0397.

Form Number: None.

Type of Review: Regular submission.

Affected Public: Individuals or households, business or other for-profit organizations, and not-for-profit institutions.

Estimated Number of Respondents: 75.

Estimated Time Per Response: 1 hour.

Estimated Total Annual Burden Hours: 75.

Estimated Total Annual Cost to Public: \$0.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: September 16, 2002.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 02-24247 Filed 9-23-02; 8:45 am]

BILLING CODE 3510-NK-S